

PATENT  
Customer Number 22,852  
Attorney Docket No.: 3495.0174-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re 1.53(b) continuation appln. of )  
Serial No. 09/129,368 )  
Laurent COEN et al. )  
Serial No.: Not yet assigned ) Prior Group Art Unit: 1633  
Filed: March 26, 2001 ) Prior Examiner: S. Chen



For: HYBRID PROTEINS THAT MIGRATE RETROGRADELY AND  
TRANSYNAPTICALLY INTO THE CNS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application. Copies of the listed documents, were previously submitted or cited by the Patent Office in prior application Serial No. 09/129,368, filed August 5, 1998, upon which applicants rely for the benefits provided in 35 U.S.C. § 120.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

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documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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**INFORMATION DISCLOSURE CITATION**  
(Us sev ral sh ets if nec ssary)

Atty. Docket No.	3495.0174-01	Serial No.	Rule 1.53(b) cont. of S.N. 09/129,368
Applicant	Laurent COEN et al.	Prior Group Art Unit: 1633	
Filing Date	March 26, 2001		

**U.S. PATENT DOCUMENTS**

15974 U.S. PTO  
09/16/01  
03/26/01

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,762,926	06/09/98	Gage et al.			
	4,594,336	06/10/86	Bizzini			
	4,479,940	10/30/84	Bizzini			
	5,728,399	03/17/98	Wu et al.			
	5,738,383	03/17/98	Johnson et al.			
	5,780,024	07/14/98	Brown et al.			
	5,840,540	11/98	George-Hyslop et al.			

FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Montecucco et al., "Structure and Function of Tetanus and Botulinum Neurotoxins," <i>Quarterly Reviews of Biophysics</i> , 28, pp. 423-472 (1995).
	Erdmann et al., "Intraaxonal and Extraaxonal Transport of <sup>125</sup> I-Tetanus Toxin in Early Local Tetanus," <i>Naunyn-Schmiedeberg's Arch. Pharmacol.</i> , 290, pp. 357-373 (1975).
	Price et al., "Tetanus Toxin: Direct Evidence for Retrograde Intraaxonal Transport," <i>Science</i> , Vol. 188, pp. 945-947 (1975).
	Stockel et al., "Comparison Between the Retrograde Axonal Transport of Nerve Growth Factor and Tetanus Toxin in Motor, Sensory and Adrenergic Neurons," <i>Brain Research</i> , 99, pp. 1-16 (1975).
	Schwab et al., "Electron Microscopic Evidence for a Transsynaptic Migration of Tetanus Toxin in Spinal Cord Motoneurons: An Autoradiographic and Morphometric Study," <i>Brain Research</i> , 105, pp. 213-227 (1976).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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(Use several sheets if necessary)

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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Helting et al., "Structure of Tetanus Toxin," <i>The Journal of Biological Chemistry</i> , 252, (1), pp. 187-193 (1977).
	Eisel et al., "Tetanus Toxin: Primary Structure, Expression in E. coli, and Homology with Botulinum Toxins," <i>The EMBO Journal</i> , 5, (10), pp. 2495-2502 (1986).
	Francis et al., "CuZn Superoxide Dismutase (SOD-1): Tetanus Toxin Fragment C Hybrid Protein for Targeted Delivery of SOD-1 to Neuronal Cells," <i>The Journal of Biological Chemistry</i> , 270, (25), pp. 15434-15442 (1995).
	Kuypers et al., "Viruses as Transneuronal Tracers," <i>TINS</i> , 13, (2), PP. 71-75 (1990).
	Figueiredo et al., "Delivery of Recombinant Tetanus-Superoxide Dismutase Proteins to Central Nervous System Neurons by Retrograde Axonal Transport," <i>Experimental Neurology</i> , 145, pp. 546-554 (1997).
	Beaude et al., "Retrograde Axonal Transport of an Exogenous Enzyme Covalently Linked to B-II <sub>6</sub> Fragment of Tetanus Toxin," <i>Biochem. J.</i> , 271, pp. 87-91 (1990).
	Fishman et al., "Enhanced CNS Uptake of Systemically Administered Proteins Through Conjunction with Tetanus C-fragment," <i>Journal of the Neurological Sciences</i> , 98, pp. 311-325 (1990).
	Orkin et al., <i>Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy</i> (December 1995).
	Hazinski et al., <i>Am. J. Respir. Cell Mol. Biol.</i> , Vol. 4(3), pp. 206-209 (1991).

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